

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION

HONEYWELL INTERNATIONAL, INC.,

Plaintiff,

v.

JAY P. HEFFERNAN,

Defendant.

Civil Action No.

05-30072-MAP

FILED  
IN CLERK'S OFFICE  
2005 MAR 23 P 12:05  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

**AFFIDAVIT OF MICHAEL MAHER IN SUPPORT OF  
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

I, Michael V. Maher, hereby depose and state:

1. I am the Regional Sales Manager of ADI, a subsidiary of Honeywell.
2. I have personal knowledge of the facts contained herein.
3. On March 7, 2005, Sean Guilfoyle informed me that he intended to resign from employment with ADI.
4. Sean was employed by ADI in its inside sales department, prior to his resignation.
5. On March 7, 2005, I contacted Sean in order to explore with him whether there was any possibility he would reconsider his resignation and stay on at ADI. We agreed to meet to discuss the matter further on March 8, 2005.
6. On March 8, 2005, I met with Sean. Sean told me that he was resigning from ADI to accept employment with Tri-Ed Distribution, Inc. ("Tri-Ed") in its sales division. Tri-Ed is one of ADI's direct competitors.

7. At the same meeting, I asked Sean who had recruited him to join Tri-Ed. He told me that Jay Heffernan ("Heffernan") recruited him to join Tri-Ed.
8. I remembered that Heffernan had previously interacted with Sean when Heffernan worked for ADEMCO and Honeywell, and that Heffernan handled one of his large customer accounts through Sean's sales branch.
9. Despite my efforts to retain Sean as an employee of ADI, he resigned and went to work with Tri-Ed and Heffernan.

Signed under the pains and penalties of perjury this 22 day of March, 2005.

  
Michael V. Maher